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9 *Attorneys for Plaintiffs Mary Smith,*
10 *Individually, and as Special Administrator*
of the Estate of James Perea

11 **UNITED STATES DISTRICT COURT**
12
13 **FOR THE DISTRICT OF NEVADA (LAS VEGAS)**

14 MARY SMITH, individually, and as Special
Administrator of the Estate of JAMES PEREA,

15 Plaintiffs,

16 vs.
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18 LAS VEGAS METROPOLITAN POLICE
DEPARTMENT; WELLPATH, LLC; RN RACHEL
19 CLARK; RN TANJA WASIELEWSKI; RN
GENEVA BESSIE; LCSW SANDRA CELIS;
20 MA/LNA MELEKA ST. JOHN; RN STEPHANIE
ESTALA; NP HUGH ANDREW ROSSET; NP
21 SHELLEY AMEDURI; PA ANDREA BALOGH;
22 RN AYNUR KABOTA; CORRECTIONS OFFICER
VANESSA MITCHELL; CORRECTIONS
23 OFFICER DON'TE MITCHELL; CORRECTIONS
OFFICER JOSHUA WALDMAN; DOES 1-30,

24 Defendants.
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Case No. 2:23-cv-00092-JAD-NJK

**STIPULATION TO MODIFY THE
DEADLINES TO RESPOND AND
REPLY TO LVMPD DEFENDANTS'
MOTIONS FOR SUMMARY
JUDGMENT**

(First Request)

[ECF Nos. 143, 144, **146**]

26 Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule IA 6-1, Plaintiff Mary
27 Smith, individually and as Special Administrator of the Estate of James Perea ("Plaintiff"),
28

1 together with Defendants Las Vegas Metropolitan Police Department, Vanessa Mitchell, and
2 Don'te Mitchell ("LVMPD Defendants"), through their respective counsel, stipulate and request
3 that the Court extend the deadlines for Plaintiff's responses to LVMPD Defendants' Motions for
4 Summary Judgment (filed April 25, 2025) from May 16, 2025 to May 30, 2025, and for LVMPD
5 Defendants' replies from May 30, 2025 to June 13, 2025. This is the parties' first request to
6 modify either of these deadlines.

7 On April 25, 2025, LVMPD Defendants filed Renewed Motions for Summary Judgment.
8 (ECF Nos. 140, 143–44). Plaintiff's deadline to respond to these motions is currently May 16,
9 2025. (ECF No. 140). The deadline for LVMPD Defendants to file replies in support of their
10 motions is presently May 30, 2025. (ECF No. 140).

11 Federal Rule of Civil Procedure 6(b) and Local Rule IA 6-1 impose a good cause standard
12 regarding the extension of deadlines that have not yet expired, which is a "non-rigorous standard
13 that has been construed broadly across procedural and statutory contexts." *Ahanchian v. Xenon*
14 *Pictures, Inc.*, 624 F.3d 1253, 1259 (9th Cir. 2010).

15 The parties stipulate and agree that good cause exists to extend the deadlines for
16 responding and replying to the present summary judgment motions due to counsel for Plaintiff's
17 overlapping obligations in other active cases, including deadlines related to a settlement
18 conference co-counsel Clyde Rastetter participated in this week in *Biddings v. City of New York*,
19 No. 24-cv-01732 (AT) (SLC) (S.D.N.Y.), and co-counsel Peter Goldstein's recently being retained
20 in a police shooting death case with a statute of limitations date of May 16, 2025, which has
21 required concurrent proceedings to secure appointment of a special administrator in probate court.
22 Finally, the voluminous nature of LVMPD Defendants' filings—a 48-page motion from LVMPD
23 with 27 exhibits and a separate 21-page motion from Defendants Vanessa and Don'te Mitchell
24 with 30 non-identical exhibits—necessitates additional time to prepare comprehensive responses
25 addressing the substantial arguments and evidence presented.

26 The parties stipulate and agree that this extension will not create an unnecessary delay to
27 the resolution of this case. The proposed extension will ensure adequate time for thorough
28

1 preparation of responses and replies, providing the Court with complete briefing necessary for
2 ruling on the merits.

3 DATED this 8th day of May, 2025

DATED this 8th day of May, 2025

4
5 By: /s/Peter Goldstein
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12 **IT IS SO ORDERED.**

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14 Dated this 12th day of May, 2025

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18 UNITED STATES DISTRICT JUDGE
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